



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

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6-3-02  
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MAY 30 2002

TECH CENTER 1600/2900

In the Application of:

Susheng GAN, et al.

Art Unit: 1645

Examiner: To be determined

Serial No.: 09/973,945

Docket No.: 50229-287

Filed: October 11, 2001

For: GENETIC INSULATOR FOR PREVENTING INFLUENCE BY ANOTHER GENE  
PROMOTER

**INFORMATION DISCLOSURE STATEMENT**

Honorable Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In accordance with 37 C.F.R. 1.56, the attention of the Patent and Trademark Office is directed to the cited references listed on the attached PTO-1449. No representation is made or intended that more relevant information does not exist or that the order of presentation of the information in any way reflects their relative pertinence. Applicants respectfully request that the cited information be expressly considered during the prosecution of this application and that the cited references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. If required, a copy of each reference is attached.

☒ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. Thus, no certification or fee is required.

☐ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

☐ a. I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counter-part foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(1).

☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☐ c. Please charge the amount of \$240.00 in payment of the fee under 37 C.F.R. 1.17(p). Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) petition(s) that the Information Disclosure Statement be considered. Please charge Deposit Account No. 13-0203 in the amount of \$130.00 for payment of the petition fee. Please credit or debit Deposit Account No. 13-0203 as needed to ensure consideration of the disclosed information. A duplicate copy of this paper is attached.

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☐ b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. 1.97(e)(2).

☒ 4. The reference(s) was/were cited in a counterpart foreign application. For the Examiner's information, attached is an English language version of the foreign search report. The foreign search report explains the relevance of any non-English language reference(s) cited on the attached PTO-1449.

Please grant any extension of time deemed necessary for entry of this communication. Please charge any deficient fees, or credit any overpayment of fees associated with this communication to Deposit Account No. 50-0417.

Respectfully submitted,

MCDERMOTT, WILL & EMERY

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MAY 29 2002

Exam Initials	Cite No.	U.S. Patent Document No.	Issue Date	Name of Patentee(s) or Applicant(s)	Class	Sub Class	Filing Date If Appropriate
		6,100,448	Aug. 8, 2000	Thompson <i>et al.</i>			
		6,037,525	Mar. 14, 2000	Thompson <i>et al.</i>			
		6,040,185	Mar. 21, 2000	Dietrich <i>et al.</i>			

Exam Initials	Cite No.	Foreign Patent Document		Name of Patentee(s) or Applicant(s)	Date of Publication	Translation	
		Office	Number			Yes	No

Exam Initials	Cite No.	Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc.
		Mlynarova et al. Reduced Position Effect in Mature Transgenic Plants Conferred by the Chicken Lysozyme Matrix-Associated Region. The Plant Cell. March 1994. Vol. 6, pages 417-426, see entire document.
Examiner Signature		
	Date Considered	

Modified Form 1449: Page 1 of 1  
BST99 1167535-1.050229.0206  
WDC99 605810-1.050229.0287